

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

GEORGE MEANY
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Secretary-Treasurer
JOHN W. LIVINGSTON
Director of Organization



AGRICULTURAL WORKERS ORGANIZING COMMITTEE

NORMAN SMITH, California Director
805 EAST WEBER AVENUE
STOCKTON 3, CALIFORNIA
HOWARD 6-0384



A LOT OF LETTUCE

Agricultural Workers Organizing Committee, AFL - CIO Henry P. Anderson, Director of Research

If you had lettuce today¹— in a sandwich, as garnish, or in a salad -- the chances are three to one that it came from the Imperial Valley of California.

Last year, the Valley's 121 commercial lettuce growers shipped 19,435 car loads: 15,700,000 cartons: 400,000,000 heads of lettuce. Expectations are that they will do about the same this year: nearly two and a half heads of lettuce for every man, woman, and child in the United States, shipped during a four month period, December to March.

More is involved in this Valley and this crop than your knowing where your salads have been coming from. The Agricultural Workers Organizing Committee, AFL - CIO, has chosen the Imperial Valley lettuce harvest for its principal winter push. The Imperial Valley lettuce industry is the toughest and most important undertaking of the Organizing Committee to date. On success or failure in this undertaking may very well depend the entire future of the unionization drive in California, and the farm labor movement in the United States.

The Imperial Valley has long been the citadel of farm fascism in a State where farm fascism once became sufficiently serious to prompt a U.S. Senate investigation, running to 72 volumes of printed records. In 1928, for example, Mexican workers in the Valley tried to organize a mutual aid society. Since the temperature in the Valley is consistently over 100 degrees much of the year, the workers asked, among other things, for cool drinking water in the fields. Presumably, growers objected to the idea of workers organizing even more than to the idea of providing drinking water. They turned to the Imperial County sheriff for assistance in breaking the Mexican Mutual Aid Society. Professor Paul Taylor, who was doing research in the Valley at the time, wrote, "(The sheriff's) response was immediate, and more vigorous than discreet. (He) arrested Mexicans wholesale and without warrant." Bail was set at prohibitive levels. Meetings of the Mutual Aid Society were raided. The strike and the Society were broken.

In 1930, the left-wing Agricultural Workers Industrial League attempted to establish a farm workers' union in the Imperial Valley. Professor Stuart Jamieson has written, "Its preparations...were thwarted by the local authorities. A series of raids...netted 103 arrests, including Americans, Filipinos, Japanese, and Mexicans.it was officially stated that the county (had) purchased more tear-gas guns, shells, and bombs than ever before."

In 1934, another left-wing union, the Cannery and Agricultural Workers Industrial Union, launched a drive in the Valley. Eighty-seven arrests were made at one peaceful meeting. A Los Angeles attorney, A.L. Wirin, sent to the Valley by the American Civil Liberties Union to investigate violations of civil liberties, was kidnapped from his hotel, carried to the county line, and warned not to return. Over 2,000 farm workers and their families were evicted from their huts and hovels, bombed with tear gas, and their dwellings burned to the ground.

The next year, a more conservative union, the Vegetable Packers Association, Local 18211, of the AFL, tried its fortune. The West Coast Representative of the AFL later reported, "A crew...was prevailed upon to break the strike with the law-enforcing bodies arming them with pick handles, pistols, and deputies' badges. This unnecessary and promiscuous deputizing of nonresident strikebreakers finally resulted in the uncalled-for and cold-blooded murder of two striking pickets. Next we find the State of California shamefully aiding and abetting this land of terroristic vigilantism and fascism by sending in police from the State Highway Patrol. The attitude of these 'cossacks' was so bitterly biased that union strikers were hunted from the public streets like dogs."

In the Senate investigation of 1940, it was discovered that most of the public officials sworn to uphold law and order in the Valley were in fact organizers, officers, or members of Associated Farmers of Imperial County, Inc., which had turned the Valley into a "land of terroristic vigilantism and fascism."

¹ This was written, and intended to be read, during the winter lettuce season.

Efforts to organize Imperial County's farm workers in more recent years (e.g., National Farm Labor Union, AFL, 1951; United Packinghouse Workers of America, CIO, 1955) have been broken by subtler means. In 1951, the Valley was flooded with "wetbacks". In 1955, the Valley was flooded with braceros. Workers imported from Mexico, either legally or illegally, are every bit as potent a strike-breaking force as clubs and guns in the hands of deputized thugs. Not because Mexicans would willingly work as strikebreakers, but because so long as they remain in this country, they are not free men. Whether "wetbacks" or braceros, they are forced to work for whatever wages and working conditions are offered, for whomever they are told, as long as they are told, as hard as they are told. If they don't like it (and many don't), they are reminded constantly by their overseers that any number of other workers from Mexico can be imported to take their place.

Why, then, did the Agricultural Workers Organizing Committee move into the Imperial Valley? Why did AWOC take on the most difficult part of California (and perhaps the nation) before it had consolidated its position elsewhere in the State? For many reasons, among which the following may be mentioned:

- (1) Imperial Valley growers are less able than those of any other area to hide behind the fiction of farming as a sanctified way of life wherein a man and his family live simply, close to the soil, communing daily with God and Nature and growing things. Ideally, farming can come close to this lovely myth, but it rarely does so in the United States any more, and it never did in the Imperial Valley. Agriculture in the Imperial Valley is big business, in every respect, and everyone knows it. An estimated 70% of the land is controlled by absentee corporations, 20% by Valley corporations, only 10% by independent operators. The average "farm" is valued by owners themselves (and hence no doubt undervalued) at \$205,000, has gross annual sales of \$136,000, and probably a net profit of close to \$50,000.
- (2) Imperial County is more dependent upon hired farm labor than any other county in the United States. The 1959 Census of Agriculture revealed that, at the height of the harvest season, the ratio between farmers and hired farm laborers was approximately 2 to 1 in the United States as a whole; 1 to 2 in California; 1 to 7 in Imperial County.
- (3) Imperial Valley growers are in a poorer position than growers generally to talk of "rugged individualism" and "self-made men". Imperial Valley agriculture exists only because the taxpayers of the United States, through their representatives in Congress assembled, spent \$25,000,000 to build an irrigation system which transports water to the Valley from the Colorado River some 50 miles away. According to the Reclamation Act of 1902, Federally developed water is supposed to be delivered under an excess lands provision: the so-called "160-acre limitation". This regulation has never been enforced in the Imperial Valley. One-hundred twenty-two of the Valley's 1,037 farms are over 1,000 acres. The average, including non-commercial as well as commercial farms, is over 380 acres.
- (4) Imperial Valley growers are in a poorer position than growers generally to wrap themselves in the mantle of "defenders of the last stronghold of individual freedom." It is the official growers' line at present that workers have the right to associate with other workers if they wish (this is a substantial advance over their line of twenty years ago), but that such associations must be voluntary, and that in no case may they be permitted to impede harvesting activities. There is, however, nothing voluntary about the lettuce growers' own union, and it has interfered with the normal harvesting of lettuce far more than any agricultural workers' union has ever done. In January, 1959, a Winter Head Lettuce Advisory Board was created, by a majority vote of the State's 127 producers. The orders of this 10-man board are binding upon all growers of winter head lettuce, whether or not they voted for the marketing order in the first place, and whether or not they agree with the edicts which the Board issues. Thus, if the Board decrees that no lettuce shall be cut for two days, no grower may cut any lettuce during that period, no matter what the condition of his field and no matter how many orders he may have waiting to be filled. If the Board orders that lettuce shall only be packed and shipped in 24-head cartons, no one may pack and ship a carton with 30 heads in it. The rugged

individualist who violates the rules of this growers' "union" is subject to sanctions which are enforced by the State's police power. This somewhat weakens the growers' insistence upon "right to work" and "right to harvest" for their employees.

- (5) Wages and working conditions are worse in the Imperial Valley than anywhere else in California. By itself, this does not guarantee that the workers are "ripe for organizing." But when conditions are bad, and workers know they are bad, the stage is set, and organizers would be foolish not to make their move. Farm wages in the Imperial Valley have always lagged from 20% to 50% behind those in most of the rest of California. Wages should be higher, since conditions of employment are less desirable (heat; geographic isolation; etc.), and since employers are well able to afford premium pay. As time goes by, and Mexican contract workers gain in knowledge of the United States and its ways, even they are growing restive under the benighted employment practices of Imperial Valley's corporation farmers. Or more accurately, under the practices of these "farmers'" foremen and superintendents. The "farmers" themselves are usually in Los Angeles, San Francisco, or Papeete. Many have never had any more contact with their "farms" than an annual scrutiny of profits in the office of their business manager.
- (6) Sooner or later, the Agricultural Workers Organizing Committee will have to come to death grips with the bracero system. There is no better arena to demonstrate the iniquities and inequities of that system than the Imperial Valley. Public Law 78, under which the bracero program operates, specifies that the Secretary of Labor shall arrange for the importation of braceros "when necessary to supplement the domestic agricultural labor force." It is difficult to construe the Mexican contract workers in the Imperial Valley as "supplementary" when they make up more than 90% of the labor force in most crops. Public Law 78 also states that no braceros shall be made available unless the Secretary of Labor has determined that "reasonable efforts have been made to attract domestic workers." No serious recruitment efforts have been made by Imperial Valley growers during the ten-year history of Public Law 78. Finally, and most basically, P.L. 78 specifies that the Secretary of Labor shall not authorize the use of Mexican contract workers until he has determined that "the employment of such workers will not adversely affect the wages and working conditions of domestic agricultural workers similarly employed." A child with no special orientation or training could see that the domination of Imperial Valley by foreign contract workers has had an adverse effect upon wages and working conditions. For ten years, the only alteration in a wage level frozen at 70¢ per hour was taken in an effort to fend off the AFL - CIO organizing drive.

AWOC is cooperating with the United Packinghouse Workers of America in this drive. UPWA claims jurisdiction over lettuce workers, since lettuce packing, formerly done in sheds under UPWA contracts, is now being performed in the fields. The unions are asking \$1.25 per hour (less than lettuce cutters and shed workers received in the pre-bracero era), time and a half over eight hours, seniority rights, sanitary facilities in the fields, and union recognition.

Most of the battling to date has been done in the legal courts and in the court of public opinion. Growers and their friends have formed something called Citizens Action Committee to Save the Harvest, whereunder housewives, students, fertilizer salesmen, and others are escorted by deputy sheriffs through picket lines to cut lettuce for embattled absentee-owned corporations. Friends of the workers -- small businessmen, professional people, trade unionists -- have countered by organizing a Citizens Committee to Advance the Valley Economy, with a credo reading in part: "...it is shameful that Imperial Valley, boasting of being the richest agricultural valley in the United States, should be the example of the lowest paid agricultural wages in California. We do not believe that anyone should interfere with the rights of any worker who tries to raise himself to a living wage, and better his working conditions.we cannot attract and maintain a quality labor pool on low-quality wages. ...a living wage paid and a living wage spent in the Imperial Valley is the only method to gain the prosperity and security we all seek."

Growers of Northern California have sent a motorcade to the Imperial Valley to demonstrate their solidarity with their lettuce-growing comrades-at-arms. Students from the University of California at Berkeley, and other interested citizens from throughout the State, have contributed food, clothing, and other support to the striking lettuce workers and their families.

Even more important battles, perhaps, have been waged in El Centro's Superior Court and the U.S. District Court in San Diego. Most of these legal battles have revolved around the bracero program. On January 27, Superior Judge Elmer Heald of El Centro issued a permanent injunction prohibiting union picketing on the grounds "the union organizing attempt was intended to subvert and nullify Public Law 78 -- and therefore was for an unlawful purpose." This extraordinary legal doctrine was, in the first instance, based upon a purloined union memorandum which did not and had never represented official union policy. In the second instance, even assuming the Judge's premise was correct, it is indeed remarkable that the day has arrived when American trade unionists may not demonstrate against a Federal law they consider evil and probably unconstitutional.

On February 2, agricultural workers felt the wrath of Imperial County justice again. Several hundred domestic farm laborers sat down outside the gates of a bracero camp operated by Danny Danenberg. It was a peaceful demonstration -- one of the few occasions on which Gandhianism has been employed by an arm of the American labor movement. Imperial County Sheriff Hughes and 60 growers whom he had deputized depended upon the demonstration and arrested 13 leaders.

In the meantime, the U.S. Department of Labor had been investigating the situation and had made several administrative rulings which growers interpreted as unfavorable to their interests. For example, the Department of Labor ruled that braceros must be withdrawn from behind the unions' picket lines, and, furthermore, that growers in these cases could not transfer these braceros to their other lettuce holdings. The growers turned once again to the courts for satisfaction. On February 1, they obtained from U.S. District Judge James M. Carter a restraining order against the Department of Labor, permitting growers to shift their braceros from a picketed field to another nearby field.

On February 3, American agricultural workers, bedevilled by the very government which is supposed to represent them, got a note of encouragement from a foreign government. According to the Los Angeles Examiner,

On orders from his government's embassy in Washington, Mexican Counsel (sic) Humberto Martinez asked the removal of the 2,023 Mexicans from 15 ranches which have been struck by the unions. The orders were delivered in person by Martinez to Edward Hayes, manager of the (Imperial Valley) Farmers' Association, who said he "declined to take action" on the orders...

As these lines are written, it remains to be seen what the outcome will be of this frontal clash between agricultural workers on the one hand (with a certain amount of support from the government of Mexico), and the lettuce growers of Imperial County on the other hand (with support from courts, fellow growers, and others).

But whatever the outcome, you who enjoy lettuce in salads, garnishes, and sandwiches, should know what is at stake in this clash. Immediately at stake is a \$20,000,000-25,000,000 "open-shop" lettuce industry in the country's richest winter garden. Beyond that is a \$3,000,000,000 agricultural "open-shop", throughout the State of California. And beyond that is a \$40,000,000,000 agricultural industry in the country as a whole: the nation's largest industry, and the last remaining "open-shop".

Any way you look at it, it is a lot of lettuce.

AWOC #33

February 5, 1961

HPA/mlr, oeiw #26, afl - cio

AFTERWORD: Following the writing of this paper, the Mexican government became more insistent in its demands that, in the interests of their safety and dignity, braceros not be required to work at struck ranches. But for well over a month, the U.S. Department of Labor refused to act on these demands, "pending study". When the matter was on the verge of an international crisis, Secretary Goldberg announced he would comply with the wishes of our neighbor republic. By this time (March 7), virtually the entire Imperial Valley lettuce crop had been harvested. AWOC and UPWA conceded defeat. Goldberg promptly

reinstated the use of braceros. Two growers (Bruce Church and Mike Schultz) had their braceros withdrawn for six months, for using them in defiance of USDL orders. The suspension expires July 17, 1961. The 18 growers who were struck at one time or another claimed \$40,000 losses altogether: even if true, surely a small price to pay for the privilege of continuing their monopoly of winter lettuce with wages of 93¢ per hour. And an even more modest price (one thousandth of one percent) to pay for the privilege of maintaining intact a \$40,000,000,000 nation-wide open shop.

HPA/mlr